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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,347	10/18/2000	Douglas S. Reeves	7000-041	3967
27820	7590	05/14/2004	EXAMINER	
WITHROW & TERRANOVA, P.L.L.C.			SHIN, KYUNG H	
P.O. BOX 1287			ART UNIT	PAPER NUMBER
CARY, NC 27512			2132	3

DATE MAILED: 05/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/691,347

Applicant(s)

REEVES ET AL.

Examiner

Kyung H Shin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Eriksson et al. (U.S. Patent No. 6661806 B1: File date Nov 19, 1998).

Regarding Claims 1, 20, 33, Eriksson disclose a method, communication server and software of authorizing communications comprising:

- a) receiving a request for authorization to establish a communication with a destination terminal from an origination terminal; (see col. 3, lines 3-6: *When a user requires communications between two nodes, a resource request, including authentication, is generated and transmitted.)*
- b) generating authorization indicia for the communication, the authorization indicia configured to enable reservation of resources for the communication; (see col. 3, lines 6-10: *The specified request parameters required to complete the communications between the origination and destination terminals are within the*

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request. Parameters: bandwidth, traffic class, source address, destination address.)

c) sending the authorization indicia to at least one of the originating and destination terminals to facilitate reservation of resources for the communication, wherein the at least one of the originating and destination terminals receiving the authorization indicia will send the authorization indicia to at least one network element to reserve resources for at least a portion of the communication. (see col. 3, lines 31-35: *When the required reservation parameters are authenticated and if required resources are available, the resources are reserved for the communications.)*

Regarding Claims 2, 21, 34, Eriksson disclose the method of claim 1, 20, 33 wherein the sending step comprises sending the authorization indicia to the originating and destination terminals to facilitate reservation of resources for the communication, wherein the originating and destination terminals receiving the authorization indicia will send the authorization to corresponding network elements forming part of the communication path to reserve resources for portions of the communication. (see col. 3, lines 28-30: *Each node in the communications path performs resource reservation after authentication of requests.)*

Regarding Claims 3, 22, 35, Eriksson disclose the method of claim 1, 20, 33 further comprising verifying the user of the originating terminal is capable of receiving services

providing the communication. (see col. 4, lines 32-36: *A user's request is authenticated against current policy rules to determine if the particular user is authorized to reserve the requested resources.*)

Regarding Claims 4, 23, 36 Eriksson disclose the method of claim 1, 20, 33 wherein the step of generating authorization indicia comprises authenticating the authorization indicia for use by the at least one network element. (see col. 4, lines 32-36: *Authentication is verified against the current policy rules for users and nodes.*)

Regarding Claims 5, 30, Eriksson disclose a method of authorizing communications comprising:

- a) receiving a request from at least one of an originating terminal and a destination terminal to reserve resources for a communication between the originating terminal and the destination terminal, the request associated with authorization indicia provided to the originating terminal by a service provider (see col. 2, lines 59-65) and configured to enable reservation of resources for the communication; (see col. 1, lines 48-52; *The user's contract with the service (network) provider is the basis for the authentication of resource reservation.*)
-
- When a user requires communications, a resource request is generated and transmitted.*)

b) reserving resources for at least a portion of the communication based on the authorization indicia. (see col. 3, lines 31-35: *Resources are reserved based on communication requirements.*)

Regarding Claim 6, Eriksson disclose the method of claim 5 wherein the receiving step comprises receiving requests from both the originating and destination terminals and the reserving step comprises reserving resources for the communication at a first network element associated with the originating terminal using the request received from the originating terminal and reserving resources for the communication at a second network element associated with the destination terminal using the request received from the destination terminal. (see col. 3, lines 28-30: *Each node in communications path performs resource reservation after authentication is verified.*)

Regarding Claim 7, Eriksson disclose the method of claim 6 further comprising provisioning for resources for the communication over a network between the first and second network elements based on the authorization indicia. (see col. 10, lines 42-46: *The requested resources have been reserved along the communication path from origination to destination.*)

Regarding Claim 8, Eriksson disclose the method of claim 5 further comprising establishing a second communication from the destination terminal to the original destination and reserving resources for at least a portion of the second communication

based on the authorization indicia. (see col. 10, lines 42-46: *Each node along a portion or the entire communications path performs resource reservation after authentication is verified.*)

Regarding Claims 9, 27, Eriksson disclose a terminal for effecting communications comprising a network interface and a control system (see col. 10, lines 16-20: *resource management controller system*) associated with said network interface, said control system adapted to:

- a) send a request to establish a communication with a remote terminal over a network to a service provider; (see col. 2, lines 59-65; col. 3, lines 3-6: *Quality of service and service differentiation are provided by contract between service (network) provider and user. A resource request is generated and transmitted, when a user requires communications over the network.*)
- b) receive authorization indicia configured to enable reservation of resources for the communication from the communication server in response to the request to establish the communication; (see col. 3, lines 11-13:)
- c) send a request associated with the authorization indicia to a network element to reserve resources for the communication wherein the authorization indicia is configured to enable the network element to reserve sufficient resources for at least a portion of the communication. (same as 1.c: *When the required reservation parameters are authenticated and required resources are available, the resources are reserved for the communications.*)

Regarding Claim 10, Eriksson disclose the terminal of claim 9 wherein said control system is further adapted to effect the communication over a communication path having the reserved resources with the destination terminal via the network element.

(see col. 10, lines 35-40: *A resource management control system handles all authentication and resource reservation with a network or set of subnetworks.)*

Regarding Claims 11, 29, Eriksson disclose the terminal of claim 10, 28 wherein said control system is adapted to effect a second communication over a second communication path with the destination terminal via the network element. (same as 10: *A resource management control system handles authentication and resource reservation with a network.*)

Regarding Claim 12, Eriksson disclose the terminal of claim 9 wherein said terminal is a cable terminal and said control system facilitates at least one of the group consisting of receiving or transmitting audio and video via the communication. (see col. 3, lines 6-10: *Audio and video communications requires a consistent and dedicated amount of bandwidth along communications path during entire transmission. Reservation of resources specifies a bandwidth requirement for the entire transmission.)*

Regarding Claim 13, Eriksson disclose the terminal of claim 9 wherein said terminal is a telephony terminal and said control system facilitates at least one of the group

consisting of receiving or transmitting audio via the communication. (same as 12)

Regarding Claim 14, Eriksson disclose the terminal of claim 9 wherein said terminal is a receiver and said control system facilitates at least one of the group consisting of receiving at least one of the group consisting of audio and video via the communication. (same as 12)

Regarding Claim 15, 30, Eriksson disclose a router for effecting a communication comprising a network interface and a control system associated with said network interface, said control system adapted to:

- a) receive a request to reserve resources for a communication between the originating terminal and the destination terminal, the request associated with authorization indicia provided to the originating terminal by a service provider and configured to enable reservation of resources for the communication; (same as 1.a)
- b) reserve resources for at least a portion of the communication based on the authorization indicia; (same as 1.c)
- c) route information to effect the communication. (see col. 10, lines 58-60)

Regarding Claim 16, Eriksson disclose the router of claim 15 wherein said request and

authorization indicia is received from a terminal. (same as 1.a)

Regarding Claim 17, Eriksson disclose the router of claim 15 wherein said request and authorization indicia is received from another router. (see col. 3, lines 26-30: *Each node in the transmission path can perform resource reservation and authentication.*

)

Regarding Claims 18, 31, Eriksson disclose the router of claim 15, 30 wherein said control system is further adapted to forward the authorization indicia to another router along a communication path facilitating the communication to enable reservation of resources for the communication. (same as 17: *Each node in the transmission path can perform resource reservation and authentication.*)

Regarding Claims 19, 32, Eriksson disclose the router of claim 15, 30 wherein said control system is further adapted to forward the authorization indicia to a policy server and receive approval for the reservation of the resources for the communication from the policy server based on the authorization indicia. (see col. 4, lines 32-36: *Policy (policy server) rules are accessed to determine whether resources can be reserved.*

)

Regarding Claim 24, Eriksson disclose a policy server for approving resource reservation for a router in a network, said policy server (see col. 4, lines 32-36: *policy*

rule based authentication) comprising a network interface and a control system associated with said network interface, said control system adapted to:

- a) receive a request to approve reservation of resources for a communication from a router, the request including authorization indicia configured to enable reservation of resources for the communication; (same as 2: *Each node in the communications path performs resource reservation after authentication of requests.*)
- b) determine whether to approve the reservation of resources for the communication based on the authorization indicia; (see col. 3, lines 30-31: *Resource reservation is performed for each node after authentication of requests*)
- c) send a response to the request to the router indicating whether the request for the reservation of resources was approved. (see col. 3, lines 31-35: *An ACK is sent through the communications path if the reservation resource requirements are approved.*)

Regarding Claim 25, Eriksson disclose the policy server of claim 24 wherein said control system is further adapted to communicate with a service provider to confirm the reservation of resources is appropriate based on the authorization indicia. (see col. 2, lines 59-65: *The service (network) provider's contract with the user determines whether it is appropriate to allow the reservation of resources.*)

Regarding Claim 26, Eriksson disclose the policy server of claim 24 wherein said control system is further adapted to communicate with an authentication service to confirm the authorization indicia is authentic. (see col. 3, lines 39-45: *Digital Signature technology is used to determine authenticity and to prevent alteration of reservation information.*)

Regarding Claim 28, Eriksson disclose the computer readable medium of claim 27 comprising further instructions to effect the communication over a communication path having the reserved resources with the destination terminal via the network element. (see col. 4, lines 11-14: *Authenticated data packets are transmitted over the communications path from the origination to the destination (receiving) terminal.*)

Contact Information

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H Shin whose telephone number is 703-305-0711. The examiner can normally be reached on 6:30 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.


Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KHS

Kyung H Shin
Patent Examiner
Art Unit 2132

KHS
May 9, 2004


GILBERTO BARRÓN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100